



Date June 13, 2022

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM EARL J. CROUCH (OWNER), FOR VACATION OF THE SOUTHERNMOST 265 LINEAL FEET OF SOUTHEAST 2ND STREET AND SOUTHERNMOST 178 LINEAL FEET OF SOUTHEAST 4TH STREET, SOUTH OF SCOTT AVENUE, IN THE VICINITY OF 303 SCOTT AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 2, 2022, its members voted 10-0 to recommend APPROVAL of a request from Earl J. Crouch (owner), for vacation of the southernmost 265 lineal feet of Southeast 2nd Street and southernmost 178 lineal feet of Southeast 4th Street, south of Scott Avenue, in the vicinity of 303 Scott Avenue.

MOVED by _____ to receive and file the attached communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division.

SECOND by _____

FORM APPROVED:

/s/ Lisa A. Wieland
Lisa A. Wieland
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL.

MOTION CARRIED APPROVED

CERTIFICATE

I, LAURA BAUMGARTNER, Acting City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

Acting City Clerk

Date 6/13/22

Agenda Item 32

Roll Call # _____

June 7, 2022

Communication from the City Plan and Zoning Commission advising that at their June 2, 2022 meeting, the following action was taken regarding a request from Earl J. Crouch (owner), for vacation of the southernmost 265 lineal feet of Southeast 2nd Street right-of-way and the southernmost 178 lineal feet of Southeast 4th Street right-of-way, south of Scott Avenue, in the vicinity of 303 Scott Avenue.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 10-0 as follows

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus				X
Dan Drendel	X			
Leah Rudolphi	X			
Dory Briles	X			
Abby Chungath	X			
Kayla Berkson	X			
Chris Draper	X			
Todd Garner	X			
Johnny Alcivar				X
Justyn Lewis				X
Carolyn Jenison				X
William Page	X			
Andrew Lorentzen	X			
Emily Webb	X			

APPROVAL of the requested vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense.

Written Responses

0 in Favor

0 in opposition

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. Purpose of Request:** The developer is proposing to convert the existing auto repair shop at 303 Scott Avenue to a brewery/taproom with an outdoor patio. Portions of the requested vacations would be assembled with the property at 303 Scott Avenue to provide space for the outdoor patio and ensure adequate off-street parking. The developer indicated that the site would be designed in coordination with any pending levee and trail system alterations.

Should the Commission recommend approval of the requested vacations, the City Council would review the request. The City Council would decide whether to forward the request to the City of Des Moines Real Estate Division to process any sale or use agreements.

- 2. Size of Site:** The requested right-of-way segments consist of approximately 32,600 square feet of area combined.
- 3. Existing Zoning (site):** "DX2" Downtown District.
- 4. Existing Land Use (site):** The subject area consists of public street rights-of-way.
- 5. Adjacent Land Use and Zoning:**

North – "DX2", Use is Scott Avenue public right-of-way.

East – "DX2", Use is undeveloped land.

South – "DX2"; Uses are City of Des Moines Stormwater Pump Station, the Des Moines River levee system, and the John Pat Dorrian Trail.

West – "DX2"; Uses are the Des Moines River confluence, the Des Moines River levee system, and the John Pat Dorrian Trail.

- 6. General Neighborhood/Area Land Uses:** The subject properties are located south of Scott Avenue, west of the Southeast 4th Street and Scott Avenue intersection, and east of the Des Moines River confluence. It is located within an area consisting of one-household residential, vacant, and light industrial uses.
- 7. Applicable Recognized Neighborhood(s):** The subject properties are within 250 feet of Historic East Village Neighborhood Association. The neighborhood associations were notified of the public hearing by mailing of the Preliminary Agenda on May 13, 2022, and by mailing of the Final Agenda on May 27, 2022. Additionally, separate notifications of the hearing for this specific item were mailed on May 23, 2022 (10 days

prior to the public hearing) to the primary titleholder on file with the Polk County Assessor for each property adjacent to the request right-of-way.

All agendas are mailed to the primary contact person designated to the City of Des Moines Neighborhood Development Division by the recognized neighborhood association. The Historic East Village mailings were sent to Luke Dickens, P.O. Box 93904, Des Moines, IA, 50393.

- 8. Relevant Zoning History:** On April 27, 2011, by Docket No. ZON2011-00039, the Zoning Board of Adjustment granted a Variance to the definition of "accessory structure", which specifically states semi trailers, cannot be used as accessory structures and a Variance of 25 feet less than the minimum 25-foot setback required since the site adjoins a Residential zoning district. The relief granted by the Board is subject to a two-year period to expire May 3, 2013.

The Zoning Board of Adjustment denied a Variance of the provision that prohibits outdoor storage of any and all materials, junk, and debris in the "M-1" District and a Variance of 5 feet over the maximum allowed 3 feet of height for a solid fence within a front yard setback to allow construction of an 8-foot tall solid wood fence along the east front property line.

On March 28, 2013, by Docket No. ZON2012-00013, the Zoning Board of Adjustment granted a Variance of the provision that prohibits outdoor storage of any and all materials, junk, and debris in the "M-1" District, a Variance of 25 feet less than the minimum required 25-foot front yard setback from the property line adjoining Southeast 4th Street right-of-way, and a Variance of 5 feet over the maximum allowed 3 feet of height for a solid fence within a front yard setback, to allow retention of outdoor storage of materials, equipment, and tires on racks along the east side of the building that are within the minimum required 25-foot setback area along Southeast 4th Street right-of-way in an area screened by an 8-foot tall solid wood fence, are granted subject to the following conditions:

1. Any outdoor storage shall be limited to the existing storage area, which is no closer to the east and south property lines than the existing building.
2. Any outdoor storage shall be immediately screened by an 8-foot tall solid wood fence that may be topped with up to 3 strands of barbed wire (no razor wire).

On November 20, 2013, by Docket Number ZON 2013-00179 the Board granted a Variance of 10 feet less than the minimum required 25-foot setback from the north front property line (Scott Ave.) and an Exception of 25 feet less than the minimum required 25-foot setback from the east front property line (SE 4th St.) to allow the construction of the proposed additions. The relief granted by the Board is subject to the following conditions.

1. Any addition shall be constructed in conformance with all applicable Building Codes with issuance of all necessary permits by the Permit and Development Center.
2. Any addition shall have a 3-foot tall masonry wainscot along all exterior facades.
3. Any overhead door shall consist of a color that blends with the primary color of the siding and shall have a row of windows.

10. **Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to vacate land dedicated for a specific public purpose, such as for streets and parks, to determine whether the land is still needed for such purpose or may be released (vacated) for other use. The recommendation of the Commission is forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

1. **Utilities:** Within the Southeast 2nd Street requested vacation, staff has identified a Wastewater Reclamation Authority sanitary sewer located in the northeastern portion of the Southeast 2nd Street, a City-owned sanitary sewer extending from the northwestern property line to the southeastern corner, and a City-owned 30-inch feeder main extending through the northern portion.

Within the Southeast 4th Street requested vacation, staff has identified a City-owned storm sewer extending north/south approximately 30 feet east of the west property line, a City-owned storm sewer through the southwestern corner, and a City-owned 12-inch distribution main extending north/south approximately 55 feet east of the west property line.

Staff notes that a City of Des Moines Stormwater Pump Station is located at 626 Southeast 4th Street which is accessed via the requested Southeast 4th Street vacation. The developer has indicated that they will work with the City to ensure access to public facilities and amenities remains unencumbered. It is likely that the City will retain ownership of some of the subject rights-of-way.

2. **Traffic/Access:** The requested vacations would not negatively impact access to the surrounding public and private properties or existing traffic patterns.

The John Pat Dorrian Trail is located within the City-owned property adjoining the western property line and traverses the southwestern corner of the Southeast 2nd Street right-of-way. The Southeast 4th Street right-of-way provides access to a Wastewater Reclamation Authority Stormwater Pump Station. The developer has indicated that they will work with the City to ensure access to public facilities and amenities remains unencumbered.

Any portions of the requested vacations determined suitable by the Real Estate Division for sale or lease to the developer would require easements to be obtained prior to final processing. It is likely that the City will retain ownership of some of the subject rights-of-way.

SUMMARY OF DISCUSSION

Emily Webb asked if any member of the public or commission desired to speak on the item. No one requested to speak.

COMMISSION ACTION:

Todd Garner made a motion for approval of the requested vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense.

Motion passed: 10-0

Respectfully submitted,

Bert Drost

Bert Drost, AICP
Planning & Urban Design Administrator

BAD:tjh



Updated on: 5/16/2022

1 inch = 122 feet

Jun 2, 2022 11:05



Jun 2, 2022 11:06



Jun 2, 2022 11:07



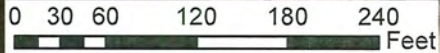
Jun 2, 2022 11:07





Against:	0%
For:	0%
Unsure:	0%
No Response:	100%

Updated on: 6/2/2022



City of Des Moines, Information Technology

1 inch = 122 feet

From: [Hall, Tyler J.](#)
To: [Dostart, Katherine E.](#)
Subject: FW: 06/02 P&Z Early Agenda
Date: Tuesday, May 17, 2022 12:27:44 PM
Attachments: [D.01-D.02.pdf](#)
[H.01-H.02.pdf](#)

Another comment received for your item on the June 2nd agenda.

From: Bogenreif, Corey D. <CDBogenreif@dmgov.org>
Sent: Tuesday, May 17, 2022 12:13 PM
To: Hall, Tyler J. <TJHall@dmgov.org>
Cc: Davis, John A. <JADavis@dmgov.org>; Wiggins, Jeff P. <JPWiggins@dmgov.org>; Bianchetta, Stephen M. <SMBianchetta@dmgov.org>; Van Essen, Jason M. <JMVanessen@dmgov.org>; Fangman, Colby J. <CJFangman@dmgov.org>
Subject: RE: 06/02 P&Z Early Agenda

Tyler,

The Engineer Department has one comment on the 6/2 P&Z agenda:

Item 1: This may have been brought to your attention by the Parks Department but the Engineering Department has a Levee Alteration project that will realign the John Pat Dorrian Trail near this site. This will likely impact the vacation SE 2nd Street. I've attached the plan/profile and ROW sheets from the plan set for your reference.

Thanks,

COREY BOGENREIF, P.E. | CITY OF DES MOINES
Principal Traffic Engineer | Traffic & Transportation Division
Engineering Department
(515) 283-4014 | m: (515) 208-4014
[DSM.city](#) | 400 Robert D. Ray Drive | Des Moines, Iowa 50309

From: Hall, Tyler J. <TJHall@dmgov.org>
Sent: Monday, May 16, 2022 4:05 PM
To: Baethke, Whitney L. <WLBaethke@dmgov.org>; Beane, Patrick A. <PABeane@dmgov.org>; Beardsley, Jack R. <JRBeardsley@dmgov.org>; Bryan M. Belt (DSM) <BMBelt@dsmairport.com>; Berk, Terry W. <TWBerk@dmgov.org>; Bianchetta, Stephen M. <SMBianchetta@dmgov.org>; Biddle, Candace L. <CLBiddle@dmgov.org>; Bishop, Brian D. <BDBishop@dmgov.org>; Bogenreif, Corey D. <CDBogenreif@dmgov.org>; Pollpeter, Bryan (work) <bpollpet@dmww.com>; Calvert, Daniel J. <DJCalvert@dmgov.org>; Canney, Tammy L. <TICanney@dmgov.org>; Carl Saxon <csaxon@ridedart.com>; Chakraborty, Sreyoshi <SChakraborty@dmgov.org>; Christensen, Cody J. <CJChristensen@dmgov.org>; Cindy Carter <cynthia.k.carter@centurylink.com>; Colvig, David J. <DJColvig@dmgov.org>; Corvera, Joebany <JCorvera@dmgov.org>; Couppee, Jacob T. <JTCouppee@dmgov.org>; Davis, Bryan L. <BLDavis@dmgov.org>; Davis, John A.

<JADavis@dmgov.org>; Delp, Michael R. <MRDelp@dmgov.org>; Donovan, Ian T. <IDonovan@dmgov.org>; Donovan, SuAnn M. <SMDonovan@dmgov.org>; Dostart, Katherine E. <kedostart@dmgov.org>; Drost, Bert A. <BADrost@dmgov.org>; Dunn-Young, Frank A. <FADunnYoung@dmgov.org>; Dykstra, Todd T. <TDYkstra@dmgov.org>; Dylan Mullenix <dmullenix@dmampo.org>; Presutti, Eizabeth <epresutti@ridedart.com>; Fangman, Colby J. <CJFangman@dmgov.org>; Foley, Kevin J. <KJFoley@dsairport.com>; Frank, Glenna K. <GKFrank@dmgov.org>; Gaul, Mike A. <MAGaul@dmgov.org>; Goudelock, Gary D. <GDGoudelock@dmgov.org>; Hall, Tyler J. <TJHall@dmgov.org>; Hamlett, Naomi A. <NAHamlett@dmgov.org>; Henry, Sara B. <sbhenry@dmgov.org>; Hernandez, Katie L. <KLHernandez@dmgov.org>; Hohensee, Jordan <jahohensee@midamerican.com>; Hutchens, Jordan S. <JSHutchens@dmgov.org>; Hutchens, Scott T. <STHutchens@DMGOV.ORG>; Hutchinson, Sara C. <SCHutchinson@dmgov.org>; Kamp, David M. <dmkamp@dmgov.org>; Larson, Kyle N. <KNLarson@dmgov.org>; Lofflin, James M. <JMLofflin@dmgov.org>; Lundy, Erik M. <EMLundy@dmgov.org>; Amber Lynch <ALynch@InvestDSM.org>; Mark McDaniel <mamcdaniel@mediacomcc.com>; Mattas, Jay M. <JMMattas@dmgov.org>; McMickle, Nanci K. <NKMcMickle@dmgov.org>; Minhas, Anuprit J. <AJMinhas@dmgov.org>; Moeckly, Paige N. <pnmoeckly@dmgov.org>; Moffatt, Ryan L. <RLMoffatt@dmgov.org>; Myers, Dwayne A. <DAMyers@dmgov.org>; Olson-Douglas, Erin <EODouglas@dmgov.org>; Page, Benjamin R. <BRPage@dmgov.org>; Parizek, Paul J. <PJParizek@dmgov.org>; Parks, Glory A. <GAParks@dmgov.org>; Paudel, Manisha <MPaudel@dmgov.org>; Phelan, Patrick J. <PJPhelan@dmgov.org>; Polk County Conservation Board <pccb_info@polkcountyiowa.gov>; Poole, Chandler M. <CMPoole@dmgov.org>; Prilipp, Adam P. <APPrilipp@dmgov.org>; Richmond, Jenny B. <JBRichmond@dmgov.org>; McQuillan, Shane D. <sdmcquillan@dmgov.org>; Smejkal, Curt R. <CRSmejkal@dmgov.org>; Smith, Adam R. <ARSmith@dmgov.org>; Sommer, Jillian L. <JJSommer@DMGOV.ORG>; Tarpey, Nicholas O. <NOTarpey@dmgov.org>; Tiernan, Jimmy B. <JBTiernan@dmgov.org>; Todd Ashby <tashby@dmampo.org>; Torres, Jesse J. <JITorres@dmgov.org>; Tunks, Allan G. <agtunks@dmgov.org>; Van Essen, Jason M. <JMVanessen@dmgov.org>; Vlach, Thomas C. <TCVlach@dmgov.org>; Wageman, Phillip J. <PJWageman@dmgov.org>; Waymire, Steve M. <SMWaymire@dmgov.org>; Wheelock, Lee A. <LAWheelock@dmgov.org>; Wieland, Lisa A. <LAWieland@dmgov.org>; Wiggins, Jeff P. <JPWiggins@dmgov.org>; Woods, MaryLee <MLWoods@dmgov.org>

Subject: 06/02 P&Z Early Agenda

To Whom It Concerns:

At its next regularly scheduled meeting on June 2, 2022, the Plan and Zoning Commission of the City of Des Moines will hold a public hearing on the attached agenda. Please provide us with your comments no later than May 25, 2022, concerning the effect these items may have on your operations. Because we are required to prepare and distribute staff recommendations in advance of the meeting, this due date must be firm. If comments are not received by the due date, it will be assumed that you have no comment regarding the items. When providing any input please reference the case number when possible, as the order of the agenda is subject to change.

Thank you,

TYLER HALL | CITY OF DES MOINES

CSR | Development Services

(515) 237-1301

DSM.city | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

From: [Dostart, Katherine E.](#)
To: [Bogenreif, Corey D.](#)
Subject: RE: SE 2nd & SE 4th vacation requests
Date: Thursday, May 26, 2022 11:20:00 AM

Thank you, Corey.

KATHERINE DRAHOS | CITY OF DES MOINES
o: 515.283.4964 | m: 515.210.4811

From: Bogenreif, Corey D. <CDBogenreif@dmgov.org>
Sent: Thursday, May 26, 2022 11:19 AM
To: Dostart, Katherine E. <kedostart@dmgov.org>
Subject: RE: SE 2nd & SE 4th vacation requests

Sure that will work. Let me know if you need anything else from Engineering. Thanks!

COREY BOGENREIF, P.E. | CITY OF DES MOINES
Principal Traffic Engineer | Traffic & Transportation Division
Engineering Department
(515) 283-4014 | m: (515) 208-4014
[DSM.city](#) | 400 Robert D. Ray Drive | Des Moines, Iowa 50309

From: Dostart, Katherine E. <KEDostart@dmgov.org>
Sent: Thursday, May 26, 2022 11:04 AM
To: Bogenreif, Corey D. <CDBogenreif@dmgov.org>
Subject: SE 2nd & SE 4th vacation requests

Hi Corey,

I've spoken with the developer requesting the vacations and they are aware of the need for easements within the area of their requested vacations. They are open to any easement paperwork that may be required.

They have indicated that they would appreciate any guidance for their architect to ensure their designs do not impact the levee and trail alterations. Would it be alright if I forward them the attachments you provided last week?

Please let me know if this alleviates concerns or if you have any additional ones.

Thanks,
Katherine.

KATHERINE DRAHOS | CITY OF DES MOINES
City Planner | Development Services
o: 515.283.4964 | m: 515.210.4811
[DSM.city](#) | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

From: [Hall, Tyler J.](#)
To: [Dostart, Katherine E.](#)
Subject: FW: 06/02 P&Z Early Agenda
Date: Tuesday, May 17, 2022 8:16:16 AM
Attachments: [20220602 PZ Agenda PRELIMINARY.pdf](#)
[ROWV-2022-000013.jpg](#)

Please see email below in regards to item 1 on the June 2nd P&Z agenda.

Thank you,

From: Fangman, Colby J. <CJFangman@dmgov.org>
Sent: Monday, May 16, 2022 6:00 PM
To: Hall, Tyler J. <TJHall@dmgov.org>
Cc: Calvert, Daniel J. <DJCalvert@dmgov.org>
Subject: Re: 06/02 P&Z Early Agenda

Hello Tyler,

The Parks and Recreation Department is opposed to the vacation of the southernmost 265 lineal feet of Southeast 2nd Street proposed in Item #1. The southeast portion of that parcel includes existing city facilities such as the John Pat Dorrian Trail and flood control levee.

Regards,

Colby Fangman

Park Planner II

Des Moines Parks and Recreation

1551 E. Martin Luther King Jr. Parkway | Des Moines, Iowa 50317

Office: (515)248-6357

Cellular: (641) 330-6464

From: Hall, Tyler J. <TJHall@dmgov.org>
Sent: Monday, May 16, 2022 4:04 PM
To: Baethke, Whitney L. <WLBaethke@dmgov.org>; Beane, Patrick A. <PABeane@dmgov.org>; Beardsley, Jack R. <JRBeardsley@dmgov.org>; Bryan M. Belt (DSM) <BMBelt@dsmairport.com>; Berk, Terry W. <TWBerk@dmgov.org>; Bianchetta, Stephen M. <SMBianchetta@dmgov.org>; Biddle, Candace L. <CLBiddle@dmgov.org>; Bishop, Brian D. <BDBishop@dmgov.org>; Bogenreif, Corey D. <CDBogenreif@dmgov.org>; Pollpeter, Bryan (work) <bpollpet@dmww.com>; Calvert, Daniel J. <DJCalvert@dmgov.org>; Canney, Tammy L. <TLCanney@dmgov.org>; Carl Saxon <csaxon@ridedart.com>; Chakraborty, Sreyoshi <SChakraborty@dmgov.org>; Christensen, Cody J. <CJChristensen@dmgov.org>; Cindy Carter <cynthia.k.carter@centurylink.com>; Colvig, David J.

<DJColvig@dmgov.org>; Corvera, Joebany <JCorvera@dmgov.org>; Couppee, Jacob T. <JTCouppee@dmgov.org>; Davis, Bryan L. <BLDavis@dmgov.org>; Davis, John A. <JADavis@dmgov.org>; Delp, Michael R. <MRDelp@dmgov.org>; Donovan, Ian T. <IDonovan@dmgov.org>; Donovan, SuAnn M. <SMDonovan@dmgov.org>; Dostart, Katherine E. <kedostart@dmgov.org>; Drost, Bert A. <BADrost@dmgov.org>; Dunn-Young, Frank A. <FADunnYoung@dmgov.org>; Dykstra, Todd T. <TDYkstra@dmgov.org>; Dylan Mullenix <dmullenix@dmampo.org>; Presutti, Elizabeth <epresutti@ridedart.com>; Fangman, Colby J. <CJFangman@dmgov.org>; Foley, Kevin J. <KJFoley@dsmairport.com>; Frank, Glenna K. <GKFrank@dmgov.org>; Gaul, Mike A. <MAGaul@dmgov.org>; Goudelock, Gary D. <GDGoudelock@dmgov.org>; Hall, Tyler J. <TJHall@dmgov.org>; Hamlett, Naomi A. <NAHamlett@dmgov.org>; Henry, Sara B. <sbhenry@dmgov.org>; Hernandez, Katie L. <KLHernandez@dmgov.org>; Hohensee, Jordan <jahohensee@midamerican.com>; Hutchens, Jordan S. <JSHutchens@dmgov.org>; Hutchens, Scott T. <STHutchens@DMGOV.ORG>; Hutchinson, Sara C. <SCHutchinson@dmgov.org>; Kamp, David M. <dmkamp@dmgov.org>; Larson, Kyle N. <KNLarson@dmgov.org>; Lofflin, James M. <JMLofflin@dmgov.org>; Lundy, Erik M. <EMLundy@dmgov.org>; Amber Lynch <ALynch@InvestDSM.org>; Mark McDaniel <mamcdaniel@mediacomcc.com>; Mattas, Jay M. <JMMattas@dmgov.org>; McMickle, Nanci K. <NKMcMickle@dmgov.org>; Minhas, Anuprit J. <AJMinhas@dmgov.org>; Moeckly, Paige N. <pnmoeckly@dmgov.org>; Moffatt, Ryan L. <RLMoffatt@dmgov.org>; Myers, Dwayne A. <DAMyers@dmgov.org>; Olson-Douglas, Erin <EODouglas@dmgov.org>; Page, Benjamin R. <BRPage@dmgov.org>; Parizek, Paul J. <PJParizek@dmgov.org>; Parks, Glory A. <GAParks@dmgov.org>; Paudel, Manisha <MPaudel@dmgov.org>; Phelan, Patrick J. <PJPhelan@dmgov.org>; Polk County Conservation Board <pccb_info@polkcountyiowa.gov>; Poole, Chandler M. <CMPoole@dmgov.org>; Prilipp, Adam P. <APPrilipp@dmgov.org>; Richmond, Jenny B. <JBRichmond@dmgov.org>; McQuillan, Shane D. <sdmcquillan@dmgov.org>; Smejkal, Curt R. <CRSmejkal@dmgov.org>; Smith, Adam R. <ARSmith@dmgov.org>; Sommer, Jillian L. <JLSommer@DMGOV.ORG>; Tarpey, Nicholas O. <NOTarpey@dmgov.org>; Tiernan, Jimmy B. <JBTiernan@dmgov.org>; Todd Ashby <tashby@dmampo.org>; Torres, Jesse J. <JITorres@dmgov.org>; Tunks, Allan G. <agtunks@dmgov.org>; Van Essen, Jason M. <JMVanessen@dmgov.org>; Vlach, Thomas C. <TCVlach@dmgov.org>; Wageman, Phillip J. <PJWageman@dmgov.org>; Waymire, Steve M. <SMWaymire@dmgov.org>; Wheelock, Lee A. <LAWheelock@dmgov.org>; Wieland, Lisa A. <LAWieland@dmgov.org>; Wiggins, Jeff P. <JPWiggins@dmgov.org>; Woods, MaryLee <MLWoods@dmgov.org>

Subject: 06/02 P&Z Early Agenda

To Whom It Concerns:

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Thank you,

TYLER HALL | CITY OF DES MOINES

CSR | Development Services

(515) 237-1301

DSM.city | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

From: [Hall, Tyler J.](#)
To: [Dostart, Katherine E.](#)
Subject: FW: 06/02 P&Z Early Agenda
Date: Tuesday, May 17, 2022 3:47:18 PM
Attachments: [Permanent Easement - Style Sheet \(01368615-3x88DF0\).pdf](#)
[Permanent Easement Agreement Standard.docx](#)

Another one...

From: Pollpeter, Bryan <bpollpet@dmww.com>
Sent: Tuesday, May 17, 2022 2:59 PM
To: Hall, Tyler J. <TJHall@dmgov.org>
Subject: RE: 06/02 P&Z Early Agenda

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Tyler,
#1 under the Consent Public Hearing will require permanent easements with DMWW as there are water mains within the area to be vacated. The vacation of SE 2nd St will require the entire area to be vacated as an easement as there is a 30" feeder main within this area. The vacation of SE 4th St will require a 40' wide easement. I have attached the easement docs.

Thanks,

Bryan Pollpeter | Engineering Analyst
Des Moines Water Works | **WATER YOU CAN TRUST FOR LIFE**
2201 George Flagg Parkway | Des Moines, Iowa 50321 | www.dmww.com
Delivery Address 412 Fleur Drive | Des Moines, Iowa 50321
Phone: (515) 323-6204 | fax: (515) 283-8712 | e-mail: bpollpet@dmww.com
www.dmww.com | Follow us on [Facebook](#) and [Twitter](#)



Please consider the environment before printing this e-mail

From: Hall, Tyler J. <TJHall@dmgov.org>
Sent: Monday, May 16, 2022 4:05 PM
To: Baethke, Whitney L. <WLBaethke@dmgov.org>; Beane, Patrick A. <PABeane@dmgov.org>; Beardsley, Jack R. <JRBeardsley@dmgov.org>; Bryan M. Belt (DSM) <BMBelt@dsmairport.com>; Berk, Terry W. <TWBerk@dmgov.org>; Bianchetta, Stephen M. <SMBianchetta@dmgov.org>; Biddle, Candace L. <CLBiddle@dmgov.org>; Bishop, Brian D. <BD Bishop@dmgov.org>; Bogenreif, Corey D. <CDBogenreif@dmgov.org>; Pollpeter, Bryan <bpollpet@dmww.com>; Calvert, Daniel J. <DJCalvert@dmgov.org>; Tammy Canney <tcanney@dmgov.org>; Carl Saxon <csaxon@ridgedart.com>; Chakraborty, Sreyoshi <SChakraborty@dmgov.org>; Christensen, Cody J. <CJChristensen@dmgov.org>; Cindy Carter <cynthia.k.carter@centurylink.com>; Colvig, David J. <DJColvig@dmgov.org>; Corvera, Joebany <JCorvera@dmgov.org>; Couppee, Jacob T. <JTCouppee@dmgov.org>; Davis, Bryan L. <BLDavis@dmgov.org>; Davis, John A. <JADavis@dmgov.org>; Delp, Michael R. <MRDelp@dmgov.org>; Donovan, Ian T. <IDonovan@dmgov.org>; Donovan, SuAnn M. <SMDonovan@dmgov.org>; Dostart, Katherine E. <kedostart@dmgov.org>; Drost, Bert A. <BADrost@dmgov.org>; Dunn-Young, Frank A. <FADunnYoung@dmgov.org>; Dykstra, Todd T. <TTDykstra@dmgov.org>; Dylan Mullenix

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Subject: 06/02 P&Z Early Agenda

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To Whom It Concerns:

At its next regularly scheduled meeting on June 2, 2022, the Plan and Zoning Commission of the City of Des Moines will hold a public hearing on the attached agenda. Please provide us with your comments no later than May 25, 2022, concerning the effect these items may have on your operations. Because we are required to prepare and distribute staff recommendations in advance of the meeting, this due date must be firm. If comments are not received by the due date, it will be assumed that you have no comment regarding the items. When providing any input please reference the case number when possible, as the order of the agenda is subject to change.

Thank you,

TYLER HALL | CITY OF DES MOINES

CSR | Development Services

(515) 237-1301

DSM.city | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

From: [Chad Rasmussen](#)
To: [Dostart, Katherine E.](#)
Cc: [Baethke, Whitney L.](#)
Subject: RE: ROW Vacation request to P&Z - Vicinity of 303 Scott Avenue
Date: Friday, May 27, 2022 8:49:29 AM

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Yes, all is confirmed. Thank you for your assistance.

Chad Rasmussen

Vice President of Development

chad@christensendevlopment.com

215 E. 3rd Street, Suite 300

Des Moines, IA 50309

515.528.9559

www.christensendevlopment.com



From: Dostart, Katherine E. <KEDostart@dmgov.org>
Sent: Thursday, May 26, 2022 1:46 PM
To: Chad Rasmussen <chad@christensendevlopment.com>
Cc: Baethke, Whitney L. <WLBaethke@dmgov.org>
Subject: ROW Vacation request to P&Z - Vicinity of 303 Scott Avenue

Hi Chad,

Thank you for your time yesterday afternoon. To confirm per our phone conversation, you indicated that you are aware of the utilities located within your requested rights-of-way vacations and the need for easements. You've indicated your willingness to work with the City to ensure that your project and designs do not impact the pending Levee and Trail system alterations. Please let me know if you have any concerns that have arisen since our conversation.

Des Moines Water Works and City of Des Moines Engineering are requesting easements for the requested rights-of-way vacations. I've attached the paperwork Water Works provided regarding easements requests with them. Bryan Pollpeter would be your contact there: bpollpet@dmww.com. For City of Des Moines, your contact for easements will be David Colvig: DJColvig@dmgov.org. As you requested, I've attached what has been provided by Corey Bogenreif in Engineering showing the plans/profiles for the Levee and Trail system alterations.

We have your requests as Item 1 on the 6/2 P&Z agenda which is on the Consent portion. Planning staff currently does not anticipate any change to that, but as you know, a Commissioner or member

of public may ask for it to be heard at the meeting.

Please let me know if you have any other questions or comments regarding your vacation requests, Katherine.

KATHERINE DRAHOS | CITY OF DES MOINES

City Planner | Development Services

o: 515.283.4964 | m: 515.210.4811

DSM.city | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

From: [Dostart, Katherine E.](#)
To: ["Pollpeter, Bryan"](#)
Subject: RE: SE 2nd & SE 4th vacation requests
Date: Thursday, May 26, 2022 11:32:00 AM

Thanks, Bryan. I will forward these to the developer.

KATHERINE DRAHOS | CITY OF DES MOINES
o: 515.283.4964 | m: 515.210.4811


From: Pollpeter, Bryan <bpollpet@dmww.com>
Sent: Thursday, May 26, 2022 11:28 AM
To: Dostart, Katherine E. <KEDostart@dmgov.org>
Subject: RE: SE 2nd & SE 4th vacation requests

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Katherine,
Please see the attached easement docs. I will need them filled out and returned along with an exhibit drawing for DMWW legal to review and approve before it is signed and recorded.

Thanks,

Bryan Pollpeter | Engineering Analyst
Des Moines Water Works | **WATER YOU CAN TRUST FOR LIFE**
2201 George Flagg Parkway | Des Moines, Iowa 50321 | www.dmww.com
Delivery Address 412 Fleur Drive | Des Moines, Iowa 50321
Phone: (515) 323-6204 | fax: (515) 283-8712 | e-mail: bpollpet@dmww.com
www.dmww.com | Follow us on [Facebook](#) and [Twitter](#)

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From: Dostart, Katherine E. <KEDostart@dmgov.org>
Sent: Thursday, May 26, 2022 11:04 AM
To: Pollpeter, Bryan <bpollpet@dmww.com>
Subject: SE 2nd & SE 4th vacation requests

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Hi Bryan,

I've spoken with the developer requesting the vacations and they are aware of the need for easements within the area of their requested vacations. They are open to any easement paperwork that may be required. I will include the paperwork you provided when I email the developer this afternoon.

Please let me know if this alleviates concerns or if you have any additional ones.

Thanks,
Katherine.

KATHERINE DRAHOS | CITY OF DES MOINES
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